

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JERRY LEVI REITMIRE,

Plaintiff,

v.

UNITED STATES,

Defendant.

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Case No. CIV-18-1035-G

ORDER

Plaintiff initiated this action on October 22, 2018. *See* Comp. (Doc. No. 1). On February 1, 2019, the Court dismissed the Complaint for failure to comply with the pleading requirements of the Federal Rules of Civil Procedure and granted Plaintiff 21 days to file an amended complaint. *See* Order (Doc. No. 13). On February 13, 2019, the Court granted Plaintiff's motion to extend that deadline, ordering Plaintiff to file an amended complaint "no later than April 1, 2019." Order (Doc. No. 15) at 1. Plaintiff failed to file an amended complaint by the extended deadline and has not sought an extension of time to do so.

Accordingly, the Court finds that this action should be dismissed without prejudice to refiling under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute and failure to comply with the Court's February 13th order. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10th Cir. 2003) (acknowledging a district court's authority under Fed. R. Civ. P. 41(b) to dismiss a case sua sponte for failure to prosecute or failure to comply with court orders). A separate judgment shall be entered.

IT IS SO ORDERED this 25th day of April, 2019.



CHARLES B. GOODWIN
United States District Judge